

Jeremy V. Richards (CA Bar No. 102300)
John W. Lucas (CA Bar No. 271038)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
Telephone: 310/277-6910
Facsimile: 310/201-0760
E-mail: jrichards@pszjlaw.com
jlucas@pszjlaw.com

Attorneys for Plaintiff David K. Gottlieb,
Chapter 11 Trustee of the Estates of Solyman
Yashouafar and Massoud Aaron Yashouafar

FILED & ENTERED

JUN 25 2018

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY Gonzalez DEPUTY CLERK

CHANGES MADE BY COURT

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FERNANDO VALLEY DIVISION**

In re:

SOLYMAN YASHOUAFAR and
MASSOUD AARON YASHOUAFAR,¹
Debtors.

Case No.: 1:16-bk-12255-GM

Chapter 11
Jointly Administered

In re:

SOLYMAN YASHOUAFAR,
Debtor.

Case No.: 1:16-bk-12255-GM
Chapter 11

In re:

MASSOUD AARON YASHOUAFAR,
Debtor.

Case No.: 1:16-bk-12408-GM
Chapter 11

Affects:

- ☐ Both Debtors
☐ Solyman Yashouafar
☒ Massoud Aaron Yashouafar

DAVID K. GOTTLIEB, as Chapter 11
Trustee for Massoud Aaron Yashouafar and
Solyman Yashouafar,

Plaintiff,

v.

PARINAZ YASHOUAFAR, trustee for the
JCBL Trust U/D/T 1/11/00,

Defendant.

Adversary No.: 1:17-ap-01050-GM

**AMENDED ORDER DIRECTING PAYMENT
PURSUANT TO SUMMARY JUDGMENT
ORDER AND PROVIDING FOR DISMISSAL OF
ACTION WITH PREJUDICE**

¹ The Debtors, together with the last four digits of each Debtor's social security number are: Solyman Yashouafar (5875) and Massoud Aaron Yashouafar (6590).

1 Upon the Court having issued its Memorandum of Opinion [Docket No. 41] and its Order
2 (the “Summary Judgment Order”) [Docket No. 42] on the *Motion of David K. Gottlieb, Chapter 11*
3 *Trustee, for Summary Judgment on All Claims for Relief Against Defendant* [Docket No. 24] (the
4 “Motion”), filed by Plaintiff David K. Gottlieb, as Chapter 11 Trustee (“Plaintiff” or the “Trustee”)
5 for Massoud Yashouafar (“Massoud” or the “Debtor”) and Solyman Yashouafar (“Solyman” and
6 together with Massoud, the “Debtors”) filed in the above-captioned adversary proceeding (the
7 “Action”), and based upon the record in the Action, and good cause appearing for the relief set forth
8 herein,

9 IT IS HEREBY ORDERED that

- 10 1. Consistent with and to implement the Summary Judgment Order, Defendant, as
11 trustee for the JCBL Trust U/D/T 1/11/00 (the “JCBL Trust”), is ordered to cause the
12 JCBL Trust to directly remit to Plaintiff payment in cash in the amount of
13 \$216,466.00 (the “Payment”) from funds in the Designated Account, as that term is
14 defined in the *Stipulation by and Between: Trustee; Debtors; JCBL Trust; S&R*
15 *Equities, LP; and Madison Equities, LP Regarding Disposition of Net Proceeds From*
16 *Sale of Property Commonly Known As Sky Las Vegas* [Docket No. 200] (the
17 “Stipulation”) and Order [Docket No. 243] approving the Stipulation, which
18 represents the community property interest in the JCBL Trust (net of certain liabilities
19 and costs), within three (3) business days after entry of this Amended Order.
- 20 2. The remaining assets of the JCBL Trust are not a property of the bankruptcy estate,
21 nor are the remaining assets in the JCBL Trust the subject of an avoidable transfer.
22 Accordingly, the remaining proceeds in the Designated Account are to be remitted to
23 Parinaz Yashouafar.
- 24 3. Pursuant to the Stipulation [Docket No. 200] and Order [Docket No. 243], Pacific
25 Western Bank (“PWB”) was directed to block access to the Designated Account
26 holding the proceeds from the sale of the property commonly known as Sky Las
27 Vegas. PWB is authorized and directed to provide access to such blocked account so
28 that PWB and JCBL Trust can carry out the terms of this Amended Order.

- 1 4. Upon and after the Trustee's receipt of the Payment, (i) Trustee's counsel shall file
2 with the Court a declaration that such Payment was received (the "Counsel
3 Declaration"), and (ii) Plaintiff, Defendant and the JCBL Trust shall be deemed to
4 have waived any and all rights to appeal the Summary Judgment Order, this Amended
5 Order, or any other order, ruling, judgment or decree in the Action.
- 6 5. Upon the filing of the Counsel Declaration, the Action shall be dismissed WITH
7 PREJUDICE without any further action by Plaintiff or Defendant.

8
9 ###
10
11
12
13
14
15
16
17
18
19
20
21
22

23 Date: June 25, 2018
24
25
26
27
28



Geraldine Mund
United States Bankruptcy Judge